

109TH CONGRESS
1ST SESSION

S. 1352

To provide grants to States for improved workplace and community transition training for incarcerated youth offenders.

IN THE SENATE OF THE UNITED STATES

JUNE 30, 2005

Mr. SPECTER (for himself, Mr. KENNEDY, and Mr. JEFFORDS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide grants to States for improved workplace and community transition training for incarcerated youth offenders.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Improved Workplace
5 and Community Transition Training for Incarcerated
6 Youth Offenders Act of 2005”.

1 **SEC. 2. GRANTS TO STATES FOR IMPROVED WORKPLACE**
 2 **AND COMMUNITY TRANSITION TRAINING FOR**
 3 **INCARCERATED YOUTH OFFENDERS.**

4 Section 821 of the Higher Education Amendments of
 5 1998 (20 U.S.C. 1151) is amended to read as follows:

6 **“SEC. 821. GRANTS TO STATES FOR IMPROVED WORKPLACE**
 7 **AND COMMUNITY TRANSITION TRAINING FOR**
 8 **INCARCERATED YOUTH OFFENDERS.**

9 “(a) FINDINGS.—Congress makes the following find-
 10 ings:

11 “(1) Almost 60 percent of the prison population
 12 in 2002 was less than 35 years old.

13 “(2) Less than 32 percent of State prison in-
 14 mates have a high school diploma or a higher level
 15 of education, compared to 82 percent of the general
 16 population.

17 “(3) Approximately 38 percent of inmates who
 18 completed 11 years or less of school were not work-
 19 ing before entry into prison.

20 “(4) The percentage of State prisoners partici-
 21 pating in educational programs has decreased by
 22 more than 8 percent over the period 1991–1997, de-
 23 spite growing evidence of how educational program-
 24 ming while incarcerated reduces recidivism.

25 “(5) Among inmates released from prison in
 26 1999, the average time served in prison for the cur-

1 rent offense was 29 months, compared with 22
2 months served by those released from prison in
3 1990. Time spent in prison provides a unique oppor-
4 tunity for education and training.

5 “(6) At least 95 percent of all State prisoners
6 will be released from prison at some point.

7 “(7) In 2001, 592,000 offenders were released
8 from State prison, a 46 percent increase over the
9 405,400 offenders that were released in 1990.

10 “(8) The average age of prisoners released to
11 parole increased from 31 years in 1990 to 34 years
12 in 1999.

13 “(9) Approximately 62 percent of State pris-
14 oners will be rearrested within 3 years, with 41 per-
15 cent returning to prison or jail.

16 “(10) The recidivism rate for those inmates
17 that participate in education programs while incar-
18 cerated is approximately 10 percent lower than non-
19 participants.

20 “(11) Even with quality education and training
21 provided during incarceration, a period of intense
22 supervision, support, and counseling is needed upon
23 release to ensure effective reintegration of youth of-
24 fenders into society.

1 “(b) DEFINITION.—For purposes of this section, the
 2 term ‘youth offender’ means a male or female offender
 3 under the age of 35, who is incarcerated in a State prison,
 4 including a prerelease facility.

5 “(c) GRANT PROGRAM.—The Secretary of Education
 6 (in this section referred to as the ‘Secretary’)—

7 “(1) shall establish a program in accordance
 8 with this section to provide grants to the State cor-
 9 rectional education agencies in the States, from allo-
 10 cations for the States under subsection (i), to assist
 11 and encourage youth offenders to acquire functional
 12 literacy, life, and job skills, through—

13 “(A) the pursuit of a postsecondary edu-
 14 cation certificate, or an associate or bachelor’s
 15 degree while in prison; and

16 “(B) employment counseling and other re-
 17 lated services which start during incarceration
 18 and end not later than 1 year after release from
 19 confinement; and

20 “(2) may establish such performance objectives
 21 and reporting requirements for State correctional
 22 education agencies receiving grants under this sec-
 23 tion as the Secretary determines are necessary to as-
 24 sess the effectiveness of the program under this sec-
 25 tion.

1 “(d) APPLICATION.—To be eligible for a grant under
2 this section, a State correctional education agency shall
3 submit to the Secretary a proposal for a youth offender
4 program that—

5 “(1) identifies the scope of the problem, includ-
6 ing the number of youth offenders in need of post-
7 secondary education and vocational training;

8 “(2) lists the accredited public or private edu-
9 cational institution or institutions that will provide
10 postsecondary educational services;

11 “(3) lists the cooperating agencies, public and
12 private, or businesses that will provide related serv-
13 ices, such as counseling in the areas of career devel-
14 opment, substance abuse, health, and parenting
15 skills;

16 “(4) describes specific performance objectives
17 and evaluation methods (in addition to, and con-
18 sistent with, any objectives established by the Sec-
19 retary under subsection (c)(2)) that the State cor-
20 rectional education agency will use in carrying out
21 its proposal, including—

22 “(A) specific and quantified student out-
23 come measures that are referenced to outcomes
24 for non-program participants with similar de-
25 mographic characteristics; and

1 “(B) measures, consistent with the data
2 elements and definitions described in subsection
3 (e)(1)(A), of—

4 “(i) program completion, including an
5 explicit definition of what constitutes a
6 program completion within the proposal;

7 “(ii) knowledge and skill attainment,
8 including specification of instruments that
9 will measure knowledge and skill attain-
10 ment;

11 “(iii) attainment of employment both
12 prior to and subsequent to release;

13 “(iv) success in employment indicated
14 by job retention and advancement; and

15 “(v) recidivism, including such sub-
16 indicators as time before subsequent of-
17 fense and severity of offense;

18 “(5) describes how the proposed programs are
19 to be integrated with existing State correctional edu-
20 cation programs (such as adult education, graduate
21 education degree programs, and vocational training)
22 and State industry programs;

23 “(6) describes how the proposed programs will
24 have considered or will utilize technology to deliver
25 the services under this section; and

1 “(7) describes how students will be selected so
2 that only youth offenders eligible under subsection
3 (f) will be enrolled in postsecondary programs.

4 “(e) PROGRAM REQUIREMENTS.—Each State correc-
5 tional education agency receiving a grant under this sec-
6 tion shall—

7 “(1) annually report to the Secretary regard-
8 ing—

9 “(A) the results of the evaluations con-
10 ducted using data elements and definitions pro-
11 vided by the Secretary for the use of State cor-
12 rectional education programs;

13 “(B) any objectives or requirements estab-
14 lished by the Secretary pursuant to subsection
15 (c)(2); and

16 “(C) the additional performance objectives
17 and evaluation methods contained in the pro-
18 posal described in subsection (d)(4) as nec-
19 essary to document the attainment of project
20 performance objectives; and

21 “(2) expend on each participating eligible stu-
22 dent for an academic year, not more than the max-
23 imum Federal Pell Grant funded under section 401
24 of the Higher Education Act of 1965 for such aca-
25 demic year, which shall be used for—

1 “(A) tuition, books, and essential mate-
2 rials; and

3 “(B) related services such as career devel-
4 opment, substance abuse counseling, parenting
5 skills training, and health education.

6 “(f) STUDENT ELIGIBILITY.—A youth offender shall
7 be eligible for participation in a program receiving a grant
8 under this section if the youth offender—

9 “(1) is eligible to be released within 5 years (in-
10 cluding a youth offender who is eligible for parole
11 within such time); and

12 “(2) is 35 years of age or younger.

13 “(g) LENGTH OF PARTICIPATION.—A State correc-
14 tional education agency receiving a grant under this sec-
15 tion shall provide educational and related services to each
16 participating youth offender for a period not to exceed 5
17 years, 1 year of which may be devoted to study in a grad-
18 uate education degree program or to remedial education
19 services for students who have obtained a secondary school
20 diploma or its recognized equivalent. Educational and re-
21 lated services shall start during the period of incarceration
22 in prison or prerelease, and the related services may con-
23 tinue for not more than 1 year after release from confine-
24 ment.

1 “(h) EDUCATION DELIVERY SYSTEMS.—State cor-
2 rectional education agencies and cooperating institutions
3 shall, to the extent practicable, use high-tech applications
4 in developing programs to meet the requirements and
5 goals of this section.

6 “(i) ALLOCATION OF FUNDS.—From the funds ap-
7 propriated pursuant to subsection (j) for each fiscal year,
8 the Secretary shall allot to each State an amount that
9 bears the same relationship to such funds as the total
10 number of students eligible under subsection (f) in such
11 State bears to the total number of such students in all
12 States.

13 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to carry out this section
15 \$30,000,000 for fiscal year 2006 and such sums as may
16 be necessary for each of the 4 succeeding fiscal years.”.

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